

**TOWN OF SHEFFIELD
PLANNING BOARD
FEBRUARY 26, 2014
DOWNSTAIRS MEETING ROOM
7:00 PM**

Board Members Present: David A. Smith, Sr., Chairman
James T. Collingwood, Jr.
Peter Cherneff
Maria Nation
Christopher Tomich, Alternate

Board Members Not Present: Margaret Martin

Others Present: Jill Hughes, Recording Secretary
Members of the Public (see sign in sheet)

P. Cherneff made a motion to open the public meeting, seconded by M. Nation. The motion passed 5-0 and the meeting opened at 7:31 pm.

Chairman D. Smith, Sr. read a request the Board received from Housatonic Solar 1 regarding a PV project on East Stahl Rd. They are requesting a letter from the Board stating that there are no bylaws that prevent them from going ahead with their project. P. Cherneff stated that if there are no bylaws then it is not this Board's responsibility to write a letter. J. Collingwood, Jr. said that they had come before the Board before and they do not need permits from us to go ahead with their project. **J. Collingwood, Jr. made a motion to write the letter for Housatonic Solar 1, C. Tomich seconded the motion. The motion passed 4-1. P. Cherneff was opposed.**

Registered Marijuana Dispensary Warrant Article: Rene Wood gave a presentation to the Board and asked for their support on a Registered Marijuana Dispensary warrant article to amend the Zoning By-Laws for the upcoming Town meeting. At Town meeting last May voters passed the Temporary Moratorium for Medical Marijuana, which expires on June 30, 2014.

The article would add to Section 2.2 Overlay Districts, change the Town of Sheffield Zoning map, add to Section 2.6 Delineations of Zoning District Boundaries and add to Section 8.0 Overlay Districts. The Board reviewed and discussed the draft warrant article. P. Cherneff suggested #3 under 8.4.4 be taken out.

Warrant articles are due by March 14, 2014 and Ms. Wood has drafted a letter. D. Smith, Sr. said the Board would put it on their agenda for next month's meeting. Ms. Wood stated that the draft has not been sent to the Attorney General's Office yet and that if the Planning Board would not carry it to Town voters then she would do a citizen's petition.

Form A: Mike Parsons was present and explained that the property is owned by Janet Gilligan. She is selling a piece of land to her neighbor and it is not a buildable lot. **J. Collingwood, Jr. made a motion to approve the Form A for Janet Gilligan, M. Nation seconded the motion. The motion was approved by the members present.**

Demolition Delay Bylaw: Dennis Sears presented on behalf of the Historical Commission. Members Kathy Orlando, Gay Tucker, Catherine Miller, Michael King and Jeff Waingrow were also present. A copy of the draft Bylaw was given to the Planning

Board. Mr. Sears hopes to have this as a warrant article for Town meeting. The purpose of the bylaw is to protect and preserve significant structures in town. Mr. Sears explained that the Building Inspector receives an application for demolition and a copy is forwarded to the Historical Commission to make a determination (public hearing held) if it is a preferably preserved structure. If the Commission finds it is a preferably preserved structure than there is a twelve month delay period, which would give time to try to save the building rather than tear it down.

P. Cherneff asked if during that twelve month period is there any way to preserve the building. Mr. Sears explained that this proposal is a General Bylaw not a Zoning Bylaw. The draft bylaw has been reviewed by Town Counsel, the Attorney General's Office and Berkshire Regional Planning Commission and is ready for the warrant.

J. Collingwood, Jr. asked about an unoccupied/neglected house. Kathy Orlando responded that if it is an emergency or a safety reason this bylaw would not apply.

P. Cherneff said this was a good first step, but not enough, in Ashley Falls there is a Historical District in town to protect structures. Rene Wood commented that this bylaw would not apply to every structure in town and that this is a first start for the voters.

Catherine Miller pointed out that Section H of the draft bylaw states the criteria the structures would have to meet for this bylaw to apply. Mr. Sears said this is a town bylaw and the Historical Commission has come before the Planning Board with it to get their input and support.

D. Smith, Sr. suggested that under #5 Age, they should set a year that the structure was built, not just 100 years old. The Commission pointed out that it is not just the age of the structure, but architectural, historical, cultural and geographic importance.

C. Tomich asked who enforces the bylaw. Mr. Sears responded that under Section 6 the Building Inspector and the Historical Commission would be authorized to enforce.

The Board thanked the Historical Commission for presenting tonight and they will discuss it more at their next meeting.

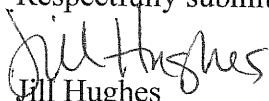
Smart Meters: D. Smith, Sr. informed the Board that they received a copy of the petition and that the Planning Board will not represent them. S.A.F.E. will have to go ahead with a citizen's petition.

Minutes: D. Smith, Sr. informed the Board that they will hold off on approving any meeting minutes tonight.

J. Collingwood, Jr. made a motion to adjourn, seconded by C. Tomich. The motion was approved by the members present. The meeting was adjourned at 8:53 pm.

The following documents were reviewed during the Board's meeting and have been retained as required by the Massachusetts Public Retention Policy: Sign in sheet; Email from Housatonic Solar 1; Draft Registered Marijuana Dispensary Warrant Article; Draft Warrant Article Demolition Delay Bylaw; Form A: Gilligan.

Respectfully submitted by:


Jill Hughes
Recording Secretary

Sheffield Planning Board

Date: February 26, 2014

- | # | Name – PLEASE PRINT | Street, Town |
|-----|---------------------|----------------------------|
| 1. | MIKE PARSONS | 312 Main St. Barrington |
| 2. | Paul Wood | 928 Boardman Sheffield |
| 3. | Hanni Sears | 928 Boardman Sheffield, MA |
| 4. | Jeff Waingrow | 14 S. Undermountain |
| 5. | Thomas B. Miller | 130 Root Lane, Sheffield |
| 6. | Gay Tucker | 24 Maple Ave, Sheffield |
| 7. | Kathy Orlando | 116 Main St, Sheffield |
| 8. | MIKE KIRK | 571 BROOKSIDE SCOT. RD |
| 9. | | |
| 10. | | |
| 11. | | |
| 12. | | |
| 13. | | |
| 14. | | |